

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 16.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.15297 of 2013 and
M.P.No.1 of 2013

The President and the Executive Authority
Kurinchipai Village Panchayat Council,
Mr.Senthil, s/o Natarajan, Vallam Union,
Chenchi Taluk, Villupuram District. ... Petitioner

Vs.

1. The Inspector (Panchayats) cum District Collector,
Villupuram, Villupuram District.
2. The Block Development Officer, Vallam Panchayat Union,
Vallam, Villupuram District.
3. R.Lakshmanan, s/o Rathinam,
1st Ward Member, Kurinchipai Village Panchayat Council.
Vallam Union, Chenchi Taluk, Villupuram District.
4. N.Kasinathan, s/o Natesan,
2nd Ward Member, Kurinchipai Village Panchayat Council.
Vallam Union, Chenchi Taluk, Villupuram District.
5. S.Ezhilarasi, w/o Chakravarthy,
6th Ward Member, Kurinchipai Village Panchayat Council.
Vallam Union, Chenchi Taluk, Villupuram District.

... Respondents

PRAYER: Writ petition filed under Section 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for records relating to the impugned order in Na.Ka.Aa2/1213/2013 dated 13.05.2013 on the file of the 2nd respondent and quasht he same as illegal and consequently direct the 1st respondent to consider the resolution passed by the petitioner council dated 13.04.2013 and forwarded the same on 16.04.2013 in accordance with law within the time frame fixed by the court.

For petitioner : Mr.S.Arokia Maniraj

For respondents :Mr.D.Suryanarayanan
Gov. Adv. for R1 and R2
No appearance for R3 to R5

ORDER

According to the respondents, the tenure of the elected panchayat members was expired on 11.02.2016 and hence, at this stage, the prayer sought for in the writ petition has become infructuous.

2. The impugned order dated 13.05.2013 passed by the second respondent had been communicated to the petitioner stating that the President of Panchayat has no power to disqualify the ward members of the Village Panchayats, as per Section 38(3) of the Tamil Nadu Panchayat Act, 1994. Now the tenure of the elected ward members of the Village Panchayat is also expired. Therefore, the issues involved in this writ petition is not required for adjudication and the same has now become infructuous.

3. Accordingly, the writ petition is dismissed as infructuous. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

mst

To

1. The Inspector (Panchayats) cum District Collector,
Villupuram, Villupuram District.
2. The Block Development Officer, Vallam Panchayat Union,
Vallam, Villupuram District.

+1cc to Government Pleader SR.No.23329

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RSI (CO)
GMY (04/06/2021)